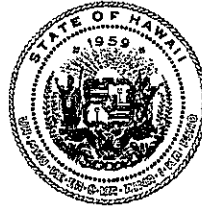
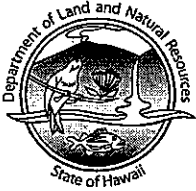


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

**Testimony of
WILLIAM J. AILA, JR.
Chairperson**

**Before the House Committee on
FINANCE**

**Tuesday, April 3, 2012
2:00 PM
State Capitol, Conference Room 308**

**In consideration of
SENATE BILL 3053, SENATE DRAFT 2, HOUSE DRAFT 1
RELATING TO NATIVE HAWAIIANS**

Senate Bill 3053, Senate Draft 2, House Draft 1 proposes to create an Aha Moku Advisory Committee within the Department of Land and Natural Resources (Department) to advise the Chairperson of the Department on the application of best management practices as they relate natural resources management with traditional practices and knowledge. The Department acknowledges the intent of the bill and does not oppose the establishment of the Aha Moku Advisory Committee under the Department, provided that the Office of Hawaiian Affairs funds the expenses of the Committee.

Thank you for the opportunity to provide comments on this measure.

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATEPARKS



SB3053 SD2 HD1
RELATING TO NATIVE HAWAIIANS
House Committee on Finance

April 3, 2012

2:00 p.m.

Room: 308

The Office of Hawaiian Affairs (OHA) **OPPOSES** SB3053 SD2 HD1 solely because of the uncertain funding mechanism reflected in this bill. Specifically, Section 3 of the bill appropriates an unspecified amount from an unspecified source for fiscal year 2012-2013 for the administrative costs related to carrying out the duties of the proposed 'Aha Moku Advisory Committee.

OHA commends the bill's creation of an 'Aha Moku Advisory Committee to be located within DLNR to advise the chairperson of the Board of Land and Natural Resources. The advisory committee would empower Native Hawaiians to participate in the management of Hawai'i's natural, cultural, and historical resources. It would also aid the State in making better resource management decisions. Local communities that have lived off the resources of their respective ahupua'a and have studied the area's conditions and resources over generations, have the best knowledge regarding the proper time to harvest, kapu, heal, monitor, inspect, and take accountings. Native Hawaiians have centuries of traditional knowledge to draw upon and have an interest in perpetuating Native Hawaiian traditions and customs, and the resources they rely upon, for generations to come.

For many months, OHA has been working with key interested parties to resolve questions regarding where to place the 'Aha Moku Advisory Committee and how to fund it. On April 4, 2012, the OHA Board of Trustees' (BOT) Committee on Asset and Resource Management and Committee on Beneficiary Advocacy and Empowerment are slated to jointly consider the possible solutions proposed by the key parties. We look forward to continued collaboration with all parties, including the Legislature, on how best to bring the 'Aha Moku Advisory Committee to fruition.

Mahalo for the opportunity to testify on this measure.



Leimana DaMate, Aha Moku Advisory Committee

TESTIMONY IN SUPPORT
OF SB 3053 SD2 HD1

RELATING TO NATIVE HAWAIIAN ROLL COMMISSION

House Committee on Finance

Tuesday, April 3, 2012, Room 308

Submitted by: Leimana DaMate on behalf of Vanda Hanakahi, Moloka'i, Chair, on behalf of the Aha Moku Advisory Committee and the 43 moku from each of the main Hawaiian Islands that they represent: Vanda Hanakahi, Moloka'i; Leslie Kuloloio, Kahoolawe; Ke'eaumoku Kapu, Maui; Winifred Basques, Lana'i; Pi'ilani Kaawaloa, Hawaii; Charles Kapua and Rocky Kaluhiwa, O'ahu; Sharon Pomroy, Kaua'i; and Keith and Bruce Robinson, Konohiki, Ni'ihau.

Aloha Chair Oshiro, Vice Chair Lee and Members of the House Committee on Finance,

Thank you for the opportunity to testify in strong support of S.B. 3053 SD2 HD1, the bill relating to Native Hawaii's and one that establishes the Aha Moku Advisory Committee within the Department of Land and Natural Resources.

The intent of this Bill is to complete the purpose of Act 212, the Aha Moku Bill which passed the legislature unanimously into law in 2007. Its objective is two-fold: First, to integrate the Native Hawaiian cultural and traditional values into the fabric of state policy; and Second, to address the severe changes to the physical and cultural landscape accumulated over the past 200 years in the State of Hawai'i which were responsible for the deterioration of the natural resources, our unique ecosystem as well as the Hawaiian culture.

The Aha Moku System is the restoration of the Native Hawaiian land and ocean tenure system that dates back to the 9th century, prior to the arrival of Paaao. This is the system that was responsible for the sustainability of the natural and cultural resources of the people. It is a site-specific process and its practices were honed through countless generations of native practitioners whose sole purpose is to sustain and perpetuate the resources upon which the people were and continue to be dependent upon. This system is simple, yet sophisticated, is based upon the scientific observations of expert resource managers, and is flexible enough to allow for natural and unexpected changes within the environment.

Aha Moku Testimony

House Committees on Finance,

April 3, 2012

There are 567 traditional ahupua'a within the State of Hawai'i, and they comprise the 43 moku or larger land districts on each island. Each ahupua'a and each moku are geographically different and unique in their resources. Because of this distinction, it has come to light over the past decades that the western method of having one law that manages such diverse geography within eight islands does not work. For example, when the lobster season is open in the state, the lobsters are actually spawning on the south side of the Island of Hawai'i. The moku system allows for community participation and sharing of knowledge within each different ahupua'a.

For the first time in history, the Native Hawaiian people are striving to work within the Hawaii State System to share their generational and empirical knowledge of Hawaii's natural resources in a unified effort to stem the on-going deterioration of our state's natural assets. This effort has the wide-spread support of the general public as well as active participation of the kanaka maoli. However, this can only be done through direct collaboration between the native people and state agencies that ensures trust and cooperation. We have worked with OHA and DLNR throughout the year to mitigate any concerns and strive for the most common sense way to advise on the use of Native Hawaiian traditional practices within the natural resource system. We believe that initiating the Aha Moku System into state policy through the Department of Land and Natural Resources will begin the process of halting the degeneration of our ecosystem, perpetuate the Hawaiian culture, and ensure the protection of our unique environment for all of Hawaii for future generations. Everyone will benefit from this.

We urge the passage of S.B. 3053 SD2 HD1.

Mahalo nui loa!

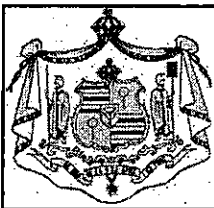
Leimana DaMate

Aha Moku Advisory Committee

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Email: Leimana@fastnethi.com



Association of Hawaiian Civic Clubs

P. O. Box 1135

Honolulu, Hawai'i 96807

TESTIMONY OF PRESIDENT SOULEE STROUD

SENATE BILL 3053, SD2, HD1(HSCR1035-12) RELATING TO NATIVE HAWAIIANS

**HOUSE COMMITTEE ON FINANCE
Tuesday, April 3, 2012; 2:00pm; Room 308**

Aloha Chairman Oshiro, Vice Chair Lee and members of the House Committee on Finance. I am Soulee Stroud testifying in support of the Aha Moku Council.

The Hawaiian Civic Clubs have participated in and assisted the Aha Moku Council throughout its educational conferences and legislative trials. Concepts endorsed by the Aha Moku Council are excellent, and while based primarily on Hawaiian culture, can be applied broadly to environment, preservation, natural resource management, governmental and social issues.

As it is written, the legislature imposes the Aha Moku Council on the Office of Hawaiian Affairs with no funding support, placing an unfair burden on OHA. This was never the vision of those who have been supporting Aha Moku. The Office of Hawaiian Affairs, meanwhile, has serious trust responsibility to a very specific beneficiary group. The end result of the Aha Moku council's work is not exclusively Hawaiian, but has universal relevance in today's society.

We regret that the legislature has chosen to force OHA to take on the responsibility and costs of Aha Moku.

Thank you for the opportunity to testify.

Contact: jalna.keala2@hawaiiantel.net

March 31, 2012

Honorable Members of the House Committee on Finance

Subject: SB3053 SD2 HD1 Relating to Native Hawaiians

Hearing Date & Time: Tuesday, April 3, 2012, 2:00 pm

Aloha Chair Oshiro, Vice Chair Lee and Members:

COMMENT: While I support the concept of the Aha Moku natural resource management process and its placement in the department of land and natural resources, I have concerns that SB3053 SD2 HD1 is being represented as "Related to Native Hawaiians." During the Aha Moku meetings in 2010 and 2011, all members from communities on all islands were invited to participate in learning about the practice of Hawaiian natural resource management within the constraints of governance that exists today. This process included five important elements that include:

- 1- Adaptive Management – one that is flexible and responsive to changes
- 2- Code of Conduct – "buying-in;" demonstrating compliance by conduct
- 3- Community Consultation – building consensus;
- 4- Education – key to successful compliance and management success; understanding why, how, when, etc.
- 5- Eligibility Criteria to participate in natural resource management – simply generational knowledge; experience.

As such, I view the Aha Moku Process to be an all inclusive process rather than one only related to Native Hawaiians but representative of all members of our communities today.

Respectfully Yours,

Roy Mōrioka
349-9297